



# Firearm Identification Amendments



# HISTORY OF FIREARM SERIAL NUMBERS

- 1934 National Firearms Act required manufacturers & importers to identify firearms with “a number or other identification mark”



# HISTORY OF FIREARM SERIAL NUMBERS

- 1934 NFA limited the definition of “Firearm” (included machineguns, rifles & shotguns with barrels <18 inches, silencers, mufflers, and “any other weapons” with a narrow definition)



# HISTORY OF FIREARM SERIAL NUMBERS

- Title II Gun Control Act of 1968- removed a registration requirement from the NFA and expanded the serial number requirement beyond NFA firearms.



# CURRENT FEDERAL SERIAL NUMBER REQUIREMENT

“It shall be unlawful for any person...to obliterate, remove, change, or alter the serial number or other identification of a firearm required by this chapter; or to receive or possess a firearm having the serial number or other identification required by this chapter obliterated, removed, changed, or altered...”



# CURRENT FEDERAL SERIAL NUMBER REQUIREMENT

Any person who violates or fails to comply with any provision of this chapter shall, upon conviction, be fined not more than \$10,000, or be imprisoned not more than ten years, or both.

26 U.S.C.A. § 5871



# CURRENT UTAH SERIAL NUMBER REQUIREMENT

“Any person who changes, alters, removes, or obliterates the name of the maker, the model, manufacturer's number, or other mark of identification, including any distinguishing number or mark assigned by the Department of Public Safety, on any pistol or revolver, without first having secured written permission from the Department of Public Safety to make the change, alteration, or removal, is guilty of a class A misdemeanor.” UCA 76-10-522



# UTAH OFFENSE V. FEDERAL OFFENSE

	Federal	Utah
Obliterating a serial # on a pistol/revolver	10 years (between F3 and F2)	Class A misdemeanor
Possessing a firearm with an obliterated serial number	10 years (between F3 and F2)	Not an offense





# THEFT v. OBLITERATING

<b>Theft of firearm</b>	<b>Second Degree Felony [76-6-412(1)(a)(ii)]</b>
<b>Obliterating a serial # on a pistol/revolver</b>	<b>Class A misdemeanor [76-10-522]</b>
<b>Possessing firearm w/obliterated serial #</b>	<b>Not an offense</b>



# PROPOSAL

Theft of firearm

Second Degree Felony [76-6-412(1)(a)(ii)]

Obliterating a serial  
# on a firearm

Third Degree Felony [76-10-522(1)]

Possessing firearm  
w/obliterated serial #

Third Degree Felony [76-10-522(2)]



# PROPOSED UTAH OFFENSE V. FEDERAL OFFENSE

	Federal	Utah
Obliterating a serial # on a firearm	Up to 10 years (between F3 and F2)	F3 (up to 5 years)
Possessing a firearm with an obliterated serial number	Up to 10 years (between F3 and F2)	F3 (up to 5 years)



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